

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

FILED - GR  
ORIGINAL

ROGER COLE, pro se,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil No. 1:02-00137-RAE

Hon. Richard A. Enslen  
Magistrate Judge Carmody

UNITED STATES CLERK  
U.S. DISTRICT COURT  
WESTERN DISTRICT MICH

BY *my*

**DECLARATION OF ELIZABETH LAN**

I, Elizabeth Lan, pursuant to 28 U.S.C. § 1746, declare, that:

1. That I am an attorney employed in the Civil Trial Section of the Tax Division of the United States Department of Justice to whom the above-captioned case has been assigned. As such, I have in my possession certain originals and copies of documents obtained from the Internal Revenue Service (IRS) that relate to the administrative proceeding that is the subject of this appeal.

2. Attached herewith are the following exhibits, which are true and correct copies:

- A. U.S. Individual Income Tax Returns (Forms 1040) for the tax years 1999 and 2000, filed by Plaintiff;
- B. Final Notice - Notice of Intent to Levy and Notice of Your Right to a Hearing (Letter 1058) dated February 1, 2001;
- C. Request for a Collection Due Process Hearing (Form 12153) received by the Internal Revenue Service on February 8, 2001;
- D. Request for a Collection Due Process Hearing (Form 12153) received by the Internal Revenue Service on November 5, 2001;

- E. Letter dated November 5, 2001 notifying Plaintiff of date for collection due process hearing;
- F. Notice of Determination Concerning Collection Action(s) Under IRC Section 6320 and/or 6330 (Form 3194) dated February 5, 2002; and
- G. Letter 3176 dated May 4, 2001 sent by the Internal Revenue Service to Plaintiff.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 14th day of June, 2002, at Washington, D.C.

A handwritten signature in black ink, appearing to read "Elizabeth L", is written over a horizontal dashed line.

ELIZABETH LAN  
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